

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

WRIT PETITION NO.5547 of 2006

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21<sup>st</sup> March 2006

Between:

Penubaku Balakotaiah, S/o.Ankaiah.

**...PETITIONER**

AND

1. The District Collector, Prakasam District, Ongole.

And two others.

**...RESPONDENTS**

**THE HON'BLE MR JUSTICE V.ESWARAIAH**

WRIT PETITION NO. 5547 of 2006

**ORDER:**

It is the case of the petitioner that an extent of 0.45 cents in Survey No.434/2 of Pernametta Village, S.N.Padu Mandal, Prakasam District was temporarily assigned to him vide proceedings No.L/Dis.148 of 1996 dated 14.05.1996 by the third respondent subject to the condition that the petitioner has to cultivate the land within one year failing which the assignment would be cancelled and after cultivation, patta would be granted in his favour. The other conditions are that the petitioner should not alienate or misuse the land and has to raise only food grain crops. It is stated that the petitioner has fulfilled the terms and conditions of the assignment and filed a representation before the third respondent on 23.11.2005 stating that he has been cultivating the said land and living on the earnings and requested grant of permanent patta and patta pass book. Thereafter, it is stated that an enquiry was ordered and the Mandal Surveyor inspected the land and furnished a report to the third respondent on 26.11.2005. But without considering and disposing of the petitioner's representation, the respondents are contemplating to assign the said

land in favour of the third parties due to political reasons.

I am not inclined to express any opinion whether the respondents are contemplating to assign the said land to the third parties but the fact remains that the petitioner's representation is pending consideration. Hence, the third respondent is directed to dispose of the petitioner's representation dated 23.11.2005, if any pending, and pass orders in accordance with law after giving proper notice and opportunity to the petitioner and till then, the respondents are directed to maintain *status quo* as on today with regard to the possession.

Subject to the above, the Writ Petition is disposed of. No costs.

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**(V.ESWARAIAH, J)**

21<sup>st</sup> March 2006

RRB